

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
(Northern Division)

UNITED STATES OF AMERICA,)
)
and the STATE OF MISSISSIPPI,)
)
Plaintiffs,)

v.)

THE CITY OF JACKSON, MISSISSIPPI,)
)
Defendant.)

Case No. 3:12-cv-790-HTW-LGI
(Clean Water Act Case)

UNITED STATES OF AMERICA,)
)
Plaintiff,)

v.)

THE CITY OF JACKSON, MISSISSIPPI,)
)
Defendant.)

Case No. 3:22-cv-00686-HTW-LGI
(Safe Drinking Water Act Case)

**ORDER VACATING STIPULATED ORDER ON SEWER SYSTEM (CLEAN WATER
ACT CASE)**

COME NOW the parties in *United States and State of Mississippi v. City of Jackson*,
Case No. 3:12-cv-790-HTW-LGI (Clean Water Act Case), hereby stipulate and agree as follows:

WHEREAS on July 26, 2023, plaintiff the United States of America filed a Notice of
Lodging and lodged a proposed Stipulated Order on Sewer System (Dkt. No. 36);

WHEREAS the proposed Stipulated Order on Sewer System (“Stipulated Order”) was entered into by the United States, on behalf of the U.S. Environmental Protection Agency, co-plaintiff the State of Mississippi, acting through the Mississippi Commission on Environmental Quality and the Mississippi Department of Environmental Quality (“MDEQ”), and defendant the City of Jackson, Mississippi;

WHEREAS the Stipulated Order defines its effective date as “the date of entry of this Stipulated Order by the Court”;

WHEREAS the Court on July 31, 2023, signed and entered the Stipulated Order (Dkt. No. 40);

WHEREAS on August 14, 2023, the Court held a status conference with the United States, MDEQ, and the City of Jackson;

WHEREAS during the status conference, counsel for the United States requested that the Court vacate the Stipulated Order, counsel for MDEQ did not object to the Court vacating the Stipulated Order, and counsel for the City consented to the Court vacating the Stipulated Order;

WHEREAS the United States is holding a public comment period on the Stipulated Order through August 31, 2023 (Dkt. No 36);

WHEREAS, after the public comment period closes, the United States will review and provide serious consideration of all comments received on the Stipulated Order—endeavoring to do so as quickly as it can—and then either notify the Court of its withdrawal of the Stipulated Order or respond to comments received and file a motion asking the Court to approve the stipulation embodied in the Stipulated Order (Dkt. No. 36);

It is hereby ORDERED:

1. The Stipulated Order on Sewer System filed at Docket No. 40 is VACATED.

2. The Court shall consider entry of the Stipulated Order only after the public comment period has closed and after the United States has filed the notification/motion described herein.

ENTERED this 16th day of August, 2023.

/s/HENRY T. WINGATE
United States District Court

SO Stipulated:

FOR THE UNITED STATES OF AMERICA:

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Dated: August 16, 2023

/s/ Angela Mo
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United States Attorney for the
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Dated: August 16, 2023

/s/ Angela Givens Williams
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Dated: August 16, 2023

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FOR THE STATE OF MISSISSIPPI, ACTING THROUGH THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY AND THE MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY:

Dated: August 16, 2023

/s/ Gretchen Zmitrovich
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